

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Appellant:** Solomon S. Steiner and Bryan R. Wilson**RECEIVED  
CENTRAL FAX CENTER****Serial No.:** 09/766,362**Art Unit:** 1615**FEB 15 2005****Filed:** January 19, 2001**Examiner:** Humera Sheikh**For:** *DRY POWDER FORMULATIONS OF ANTIHISTAMINE FOR NASAL  
ADMINISTRATION*

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**APPEAL BRIEF****Sir:**

This is an appeal from the final rejection of claims 1-5, 7-12, 14-18, 20 and 21 in the Office Action mailed July 15, 2004, in the above-identified patent application. A Notice of Appeal was filed on December 15, 2004. The Commissioner is hereby authorized to charge \$250.00, the fee for the filing of this Appeal Brief for a small entity, to Deposit Account No. 50-3129. It is believed that no additional fee is required with this submission. However, should an additional fee be required, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 50-3129.

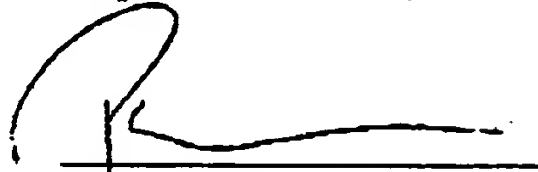
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APPEAL BRIEF

For the foregoing reasons, Appellant submits that claims 1-5, 7-12, 14-18, 20 and 21 are patentable.

Respectfully submitted,

  
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Date: February 15, 2005

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